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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLINT BARNES,

Plaintiff,

-against-

AMERICAN INTERNATIONAL LIFE  
ASSURANCE COMPANY OF NEW YORK,  
A MEMBER COMPANY OF AMERICAN  
INTERNATIONAL GROUP, INC., AND L-3  
COMMUNICATIONS CORPORATION,

Defendants.

Civil Action No. 08 CV 6222 (DC)

## STIPULATION OF DISCONTINUANCE

as to L-3

IT IS HEREBY STIPULATED AND AGREED, by and between the above named parties, that the foregoing matter is dismissed against L-3 COMMUNICATIONS CORPORATION only, without prejudice, and without costs or fees payable to any party.

Dated: August 6, 2008

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USCHER, QUIAT, USCHER &amp; RUSSO, P.C. SCHNADER HARRISON SEGAL &amp; LEWIS LLP

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AMERICAN INTERNATIONAL LIFE  
ASSURANCE COMPANY OF NEW YORK, A  
MEMBER COMPANY OF AMERICAN  
INTERNATIONAL GROUP, INC., AND L-3  
COMMUNICATIONS CORPORATION.

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SO ORDERED.

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U.S.D.J.

8/13/08